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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/737,216

12/12/2000

Viswanath Yegnanarayanan

D/A0818

1353

7590

09/10/2004

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EXAMINER

CARTER, TIA A

ART UNIT

PAPER NUMBER

2626

DATE MAILED: 09/10/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/737,216

Applicant(s)

YEGNANARAYANAN, VISWANAT

Examiner

Tia A Carter

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2 and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Blossey et al. (US. 6057930).

Regarding claim 1, Blossey et al. discloses in a computing system (fig.1: client 100):

A computing means (CPU 200/210) for processing data (fig. 2, col. 4, lines 56-67 and col. 5, lines 1-8), and

A storage means (spool 140), responsive to a request from the computing means, for sending a resource for processing the data to the computing means (fig. 1, col. 3, lines 11-40),

Wherein the computing means is automatically programmed to send a request to the storage means for the resource (fig. 2, col. 4, lines 21-61), and

A sending of the resource is accomplished over a local area network or the Internet (computer network –110: fig. 1, col. 2, lines 63-67 and col. 3, lines 1-2).

Regarding claim 2, Blossey et al. discloses in a printing system (fig 1, col. 2, lines 63-64):

A computing means (CPU 200/210) for sending a document in a page description language (PDL) to a printing means (fig. 1, col. 2, lines 63-67 and col. 3, lines 1-2), and

A storage means (spool 140), responsive to a request from the computing means, for sending the PDL program to the printing means (fig. 1, col. 3, lines 11-26 and lines 41-48),

Wherein either the printing or the computing means is automatically programmed to send a request to the storage means for the PDL program (fig. 2, col. 4, lines 21-61) and

A sending of the PDL program is accomplished over a local area network or the Internet (computer network –110: fig. 1, col. 2, lines 63-67 and col. 3, lines 1-2).

Regarding claim 4, Blossey et al. discloses the system of claim 2 or 3 wherein the printer is adapted to identify the PDL program by inspecting the document (fig. 2 (digital copying and printing system), col. 4, lines 27-34).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blossey et al. in view of Applicant 's admitted prior art.

Regarding claim 3, Blossey et al. discloses in a printing system:

A computing means (CPU 200/210) sending a document in page description language (PDL) to a printing means (fig. 1, col. 3, lines 7-26; fig. 2, col. 4, lines 21-41), and Blossey et al. **fails to disclose** for sending a payment to vending means for the PDL program, and

Applicant's prior art **discloses** on page 4 of specification lines 32-34 that " in the event that the PDL program is stored on a hard drive that is accessible by the user without payment, the vendor is simply a storage area that can be accessed by a request, and no bill or payment is necessary".

Blossey et al. **fails to disclose** the vending means (CPU 200), responsive to a request, for sending a bill to the computing means, and, responsive to a payment, for sending the PDL program to the printing means.

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Applicant's prior art **discloses** on page 4 of specification lines 32-34 that " in the event that the PDL program is stored on a hard drive that is accessible by the user without payment, the vendor is simply a storage area that can be accessed by a request, and no bill or payment is necessary".

Wherein either the printing or the computing means is adapted to send a request to the vending means for the PDL program (fig. 2, col. 4, lines 21-46), and

A sending of the PDL program is accomplished over a local area network or the Internet (fig. 1, col. 2, lines 63-67: col. 1, lines 33-50).

It would have been obvious to one skilled in the art at the time of the invention to modify Blossey wherein a billing and payment system is implemented which provides a user with printing capabilities if a PDL program needs to be downloaded for data output, this feature prevents delayed and canceled printing request and printing request back loads.

Conclusion

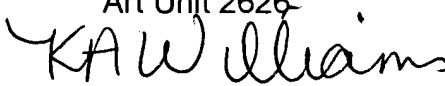
1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Motoyama (US. 5353388), Shibusawa et al. (US. 6088120), Inoue et al. (US. 6456388) and Bigby et al. (US. 5402527) are cited to show print job request with PDL format accessed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tia A Carter whose telephone number is 703 - 306-5433. The examiner can normally be reached on M-F (7:00-3:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams can be reached on 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


TAC
8/24/04

Tia A Carter
Examiner
Art Unit 2626

KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER